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DUPLICATE

DOW, LOHNES & ALBERTSON

ATTORNEYS AT LAW

1255 TWENTY-THIRD STREET

WASHINGTON, D. C. 20037

RECEIVED

JUL 19 1988

Federal Communications Commission
Office of the Secretary

TELEPHONE (202) 857-2500

TELECOPIER (202) 659-0059

ALAN C. CAMPBELL

CABLE "DOWLA"

TELEX 425548

DIRECT DIAL NO.

857-2788

July 19, 1988

H. Walker Feaster, III
Acting Secretary
Federal Communications Commission
Washington, D. C. 20554


NOTE: NO FEE REQUIRED

RE: Station KOFR(FM)
Odessa, Texas
File No. BMPED-880308MI

Dear Mr. Feaster:

Transmitted herewith and filed in triplicate on behalf of Family Stations, Inc., is an amendment to the above-referenced modification application for a noncommercial FM station to serve the community of Odessa, Texas.

This amendment, which responds to a staff letter (reference 8920-JD), corrects a discrepancy between tower heights as shown in the modification application and in FAA



DUPLICATE

APPLICATION FOR CONSTRUCTION PERMIT FOR
NONCOMMERCIAL EDUCATIONAL BROADCAST STATION
(Carefully read instructions before filling out Form—RETURN ONLY FORM TO FCC)

For Commission Use Only
File No.

RECEIVED

JUL 19 1988

Section I

General Information

1. Name of Applicant

Street Address

FAMILY STATIONS, INC.

3108 FULTON AVENUE
Federal Communications Commission
Office of the Secretary

City

State

ZIP Code

Telephone No.

(Include Area Code)

ACRAMENTO

CA

95821

(916) 481-8191

Send notices and communications to the following named person at the address below:

Name

Street Address

FAMILY STATIONS, INC. at above address

cc: Dow, Lohnes & Albertson

ATTN: Alan Campbell

1255 TWENTY-THIRD STREET

City

State

ZIP Code

Telephone No.

(Include Area Code)

WASHINGTON

DC

20037

(202) 857-2788

2. This application is for: ☐ AM ☒ FM ☐ TV

(a) Channel No. or Frequency: 90.5 MHz

(b) Community of license:

City

State

✓
ODESSA

TX

(c) Check one of the following boxes:

- ☐ Application for new station
☐ Major Change in Existing station; call sign: _____
☐ Minor Change in Existing station; call sign: _____
☐ Modification of Construction Permit; File No. of CP: _____
☒ Amendment to Pending Application; Reference Number (ARN): 880308MT

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application?

☐ YES ☒ NO

If Yes, State:

Call letters:

Community of license:

N/A

City

State

Section VI

Equal Employment Opportunity Program

1. Does the applicant propose to employ five or more fulltime employees?

☐ YES ☒ NO

If the answer is Yes, the applicant must include an EEO program called for in the separate 5 Point Model EEO Program (FCC Form 396 (A)).

Section VII

Certification

1. Has or will the applicant comply with the public notice requirement of Section 73.3580 of the Commission's Rules?

☒ YES ☐ NO

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and are incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with Section 1.65 of the Commission's Rules, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.
U.S. CODE, TITLE 18, Section 1001.**

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this 18th day of July, 19 88.

FAMILY STATIONS, INC.

Name of Applicant

Scott L. Smith

Signature

SCOTT L. SMITH

Vice President

Title

**FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT
AND THE PAPERWORK REDUCTION ACT**

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, accountants, engineers, and application examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested Permit.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

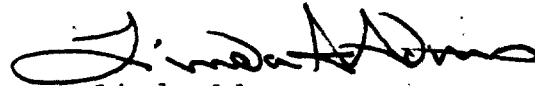
Family Stations, Inc.
KOFR
Odessa, TX

AMENDMENT

Please amend the modification of the above-referenced construction permit to change the overall height of the tower from 152.4 meters (500') AGL and 1095.1 meters (3593') AMSL to 158.2 meters (519') AGL and 1100.9 meters (3612') AMSL.

Please make this correction on Section V-B page 2, No. 9, Section V-G, No. 5, and Exhibit E6.

The FAA was notified of this correction on May 11, 1988 (copy attached).



Linda Adams
Technical Consultant
(916) 481-8191
July 18, 1988



U.S. Department
of Transportation

Federal Aviation
Administration

Southwest Region
Arkansas Louisiana
New Mexico Oklahoma
Texas

Fort Worth, Texas 76193-0000
(817) 624-5534

Date: MAR 21 1988
Family Stations, Inc.
3108 Fulton Ave., Ste. 1
Sacramento, CA 95821

In Reply Refer To Aeronautical
Study No. 88-ASW-0386-OE

Additional information and/or verification of submitted data is required before we can conduct an aeronautical study for the following described proposed construction:

Structure: Side-mount on existing antenna tower

Location: Odessa, TX

- (X) ~~Indicate and/or~~ verify latitude and longitude of proposed site to nearest second.

Latitude 31° 53' 50" Longitude 102° 33' 57"

- () Submit a chart or map (preferably an 8" x 10" copy of a section of the appropriate U.S. Geological Survey quadrangle map) showing the exact location of the proposed site.

- (X) Verify overall structure heights above ground level and mean sea level, including all appurtenances and lighting, etc.

Height above ground level (AGL) 500' tower with 19' antenna

Height above mean sea level (AMSL) 3612

- () Verify the ground elevation at the proposed site. Your notice reports the site elevation to be _____ AMSL; however, the _____ topographic chart indicates that terrain elevations in the vicinity of the filed coordinates are approximately _____ AMSL.

- () Provide frequency/s and power output to be used on the structure.

- (X) NOS records indicate an existing 519' AGL/3,612' AMSL structure at 31° 53' 52", 102° 33' 58". Please verify if this is the same tower.

Please refer to atch FAA Determination, which has the correct coordinates for

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

A "NOTICE" of the progress is required as indicated (Ref. FAR 77.13). Notice to FAA does not preclude or waive the regulations of any other Government agency		Form Approved OMB No. 04-R		AERONAUTICAL STUDY NO. 74-4-1343-05	
LOCATION (City or Town and State) OLDHAM, TEXAS		DESCRIPTION OF LOCATION (Street address, Locality)			
COORDINATES (Latitude & Longitude) 31° 53' 50" N 102° 33' 57" W					
Notify FAA at least 48 hours in advance (FAR 77.13 (b)):		DATE		DATE	
1A. DATE WORK WILL BE STARTED		4-4-75		6. PROJECT HAS BEEN ABANDONED	
B. ESTIMATED COMPLETION DATE		4-10-75		7. IF OBJECT IS AN ANTENNA REQUIRING AN FCC LICENSE, COMPLETE THE FOLLOWING:	
Notify FAA within 5 days (FAR 77.13 (c)):		DATE		CALL SIGN	
2A. STRUCTURE REACHED GREATEST HEIGHT		4-10-75		NAME OF FCC PERMITTEE/LICENSEE	
B. STRUCTURE HEIGHT		C. SITE ELEVATION DETERMINED BY:		FREQUENCY	
AGL AMSL		<input type="checkbox"/> ACTUAL SURVEY <input type="checkbox"/> MAP CONTOUR <input checked="" type="checkbox"/> OTHER		DATE FCC CONSTRUCTION PERMIT ISSUED	
3. STRUCTURE IS -		OBSTRUCTION MARKED:		8. REQUEST DETERMINATION BE EXTENDED -	
<input type="checkbox"/> YES <input type="checkbox"/> NO		LIGHTED: <input type="checkbox"/> STROBE <input type="checkbox"/> RED <input type="checkbox"/> NONE		<input type="checkbox"/> 6 MONTHS <input type="checkbox"/> 12 MONTHS <input type="checkbox"/> 18 MONTHS	



DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
Southwest Region
P. O. Box 1689
Fort Worth, Texas 76101

IN REPLY REFER TO
AERONAUTICAL STUDY
NO. 74-SW-1283-OE

DETERMINATION OF NO HAZARD TO AIR NAVIGATION

SPONSOR	Bowen Brothers P. O. Box 331 South Houston, Texas 77587	CONSTRUCTION LOCATION	
		PLACE NAME	
		Goldsmith, Texas	
		LATITUDE	LONGITUDE
		31°53'50"	102°33'57"
CONSTRUCTION PROPOSED	DESCRIPTION 500' Tower with 19' Antenna	HEIGHT (IN FEET)	
		ABOVE GROUND	ABOVE MSL
		519	3612

An aeronautical study of the proposed construction described above has been completed under the provisions of Part 77 of the Federal Aviation Regulations. Based on the study it is found that the construction would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the construction would not be a hazard to air navigation provided the following conditions are met:

Conditions:

The structure should be marked and lighted in accordance with Chapters 3 and 5 in FAA Advisory Circular AC 70 7460-1C, Obstruction Marking and Lighting, which is available free of charge from the Department of Transportation, Distribution Unit TAD 484.3, Washington, D. C. 20590.

Supplemental notice of construction is required any time the project is abandoned (use the enclosed FAA form), or

- ☒ At least 48 hours before the start of construction (use the enclosed FAA form).
- ☒ Within five days after the construction reaches its greatest height (use the enclosed FAA form).
- ☐ Not required.

This determination expires on June 3, 1975 unless:

- (a) extended, revised or terminated by the issuing office;
- (b) the construction is subject to the licensing authority of the Federal Communications Commission and an application for a construction permit is made to the FCC on or before the above expiration date. In such case the determination expires on the date prescribed by the FCC for completion of construction, or on the date the FCC denies the application.

This determination is subject to review if an interested party files a petition on or before Nov. 23, 1974. In the event a petition for review is filed, it should be submitted in triplicate to the Chief, Airspace Obstruction and Airports Branch, AT-240, Federal Aviation Administration, Washington, D.C. 20590, and contain a full statement of the basis upon which it is made.

This determination becomes final on Dec. 3, 1974 unless a petition for review is timely filed, in which case the determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review.

An account of the study findings, aeronautical objections, if any, registered with the FAA during the study, and the basis for the FAA's decision in this matter will be found on the ~~reverse of this page~~ reverse of this page.

If the structure is subject to the licensing authority of the FCC, a copy of this determination will be sent to that Agency.

SIGNED Earl L. Stone Jr. TITLE Chief, Airspace and Procedures Branch

ISSUED IN Fort Worth, Texas ON October 24, 1974

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

JUN 30 1988

IN REPLY REFER TO:

8920-JD

Family Stations, Inc.
3108 Fulton Avenue
Sacramento, CA 95821

In re: KOFR(FM), Odessa, Texas
Family Stations, Inc.
BPH-880308MI

Dear Applicant:

This refers to the above-captioned application for a construction permit for a FM station in Odessa, Texas.

A preliminary study of this application reveals that the overall tower heights of 152.4 meters above ground and 1095.1 meters above mean sea level with lighting as listed in the application do not agree with those on file for the existing tower specified. The Commission's records indicate that the overall tower height with lighting is 158 meters above ground and 1101 meters above mean sea level.

The above discrepancy should be corrected with the Commission and/or the Federal Aviation Administration as appropriate. You must notify the Commission of your actions within 30 days of the date of this letter. Failure to respond within this time period will result in the dismissal of this application pursuant to 47 C.F.R. § 73.3568 (b). No other changes to this application will be permitted by this amendment.

Sincerely,



Dennis Williams
Chief, FM Branch
Audio Services Division
Mass Media Bureau

cc: Dow, Lohnes & Albertson